

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

JENNIFER EDDINGS, et al.	:	CASE NO.: C-1-02-0177
	:	
Plaintiffs	:	Judge Sandra S. Beckwith
	:	
v.	:	<b>REPLY MEMORANDUM IN SUPPORT OF</b>
	:	<b>MOTION FOR SUMMARY JUDGMENT OF</b>
VILLAGE OF WOODLAWN POLICE,	:	<b>DEFENDANT, KATHERINE BRUNSMAN</b>
et al.	:	
Defendants	:	

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Plaintiffs' Joint Memorandum in Opposition to All of the Defendants' Motions for Summary Judgment fails to address even one of Defendant Brunzman's grounds for Summary Judgment. In fact, with the exception of setting forth the standard for summary judgment and qualified immunity, Plaintiffs' Memorandum fails to cite one legal authority to contradict this Defendant's grounds for summary judgment. Instead, Plaintiffs opt to devote the twelve (12) pages of their Memorandum to rehashing the events and arguments presented in the underlying case and professing the innocence of Plaintiff Hughes and Plaintiff Mayberry. The Plaintiffs' arguments in this regard are inappropriate and completely irrelevant to the allegations presented in the case at bar. The underlying charges against Plaintiff Mayberry and Plaintiff Hughes are not before this Court on appeal. The Plaintiffs missed their appeal date in the underlying case and, consequently, Hughes' conviction for gross sexual imposition is no longer legally in dispute.

The Plaintiffs close their Memorandum in Opposition with an irrelevant and grossly insulting racial diatribe. The Plaintiffs' closing paragraph, titled simply "Race" includes statements bordering on libel such as: "there is also a long history of white males such as Detective Ohl and Mr. Brunsman believing falsely that all black men desire white women, that all black men will rape white women because no self respecting white woman would consent to sex with a black man". The Plaintiffs provide no support, justification or rationale for those inflammatory and baseless comments.

In addition, this entire closing subsection of the Plaintiffs' Memorandum is insulting to all of the Defendants in this case, to defense counsel, the entire Village of Woodlawn Police Department, the Trial Court in the underlying case, specifically Magistrate Watkins, suggesting that the lower Court was either ignorant to this "conspiracy" or that the Court was going along with the conspiracy, and in general insulting to the whole system of American jurisprudence. Instead of addressing the legal arguments at issue, the Plaintiffs' Memorandum in Opposition presents a series of sweeping, baseless and irrelevant statements, unsupported in any fashion. As a result, it is clear the Plaintiffs have failed to come forward with any facts or legal authority to establish a genuine issue of material fact which would preclude this Court from granting summary judgment in favor of the Defendant, Katherine Brunsman, in this case.

**CONCLUSION**

For all of the reasons set forth in the Motion for Summary Judgment of Defendant, Katherine Brunsman, and due to the fact that the Plaintiffs have failed to set forth any cognizable basis for denying this Defendant's Motion for Summary Judgment, Katherine Brunsman is entitled to judgment in her favor as a matter of law.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing Reply Memorandum in Support of Motion for Summary Judgment of Defendant, Katherine Brunsman, was served, via electronic filing this 22<sup>th</sup> day of April, 2004, upon the following parties:

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